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EXAMINER
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PALIWAL, YOGESH

ART UNIT	PAPER NUMBER
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2435

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05/13/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/075,194	<b>Applicant(s)</b> VAINSTEIN ET AL.	
	<b>Examiner</b> YOGESH PALIWAL	<b>Art Unit</b> 2435	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 February 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/27/2009, 4/20/2009</u> .                                    | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

- Applicant's amendment filed on 2/10/2009 has been entered. Applicant has amended claims 1-13, 21-27 and 34-36. Currently claims 1-44 are pending in this application.

### ***Response to Arguments***

1. Applicant's arguments filed 02/10/2009 have been fully considered but they are not persuasive for following reasons:

- Regarding **Claims 1, 21, 34, and 35**, applicant argues that "it is clear that Richards does not disclose the use of "an encrypted sub-header," nor that any such sub-header "correspond[s] to the user or to a group to which the user belongs," as recited in claim 1. Since the combination of Russell, En-Seung, and Richards fails to teach or suggest at least this feature of claim 1, the Examiner has failed to make a prima facie case of obviousness."
- Examiner respectfully disagrees and would like to point out that Russell discloses encrypting secure content to be delivered however, Russell does not explicitly teach retrieving at the first server machine a user key permitting access to an encrypted header of the secured item and the sub-header corresponding to the user or a group to which the user belongs. En-Seung discloses, retrieving at a server machine a user key permitting access to an encrypted sub-header of the secured item and the sub-header corresponding to the user or a group to which the user belongs (See Figs. 19 and 12,

“Encrypted Header” and also Column 3, lines 14-32, Note: Examiner is interpreting the encrypted header part as a encrypted sub-header also note that each registered subscribing user is provided with unique key information. The user key is generated by applying the key information to a key generation algorithm. The temporary validation key that is created when the registered user accesses the server, is encrypted with the user key. (See abstract), and the protocol format generator adds to the header encrypted digital information that has been encrypted with the use of the temporary validation key in order to form the copyright protection protocol format. (See, Column 3, lines 25-32). Since the encrypted part of the header is encrypted using temporary validation key, and temporary validation key is encrypted using a user's key, only the user with the user's key have access to the header therefore, the encrypted part of the header is interpreted as corresponding to the user because only the user with correct user's key have key to decrypt the sub-header). En-Seung discloses an encrypted sub-header with a user key however; he does not explicitly disclose that the encrypted sub-header including access rules for the secured item and. However, Richards discloses a system where a given requester is permitted to access a secure item based on access rules stored in an encrypted header of a secure item (see, Fig. 4 and Paragraphs 0066-0068). Therefore, claims 1, 21, 34 and 35 are still unpatentable over the combination of Russell, En-Seung and Richards and the rejection is maintained.

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2. Applicant's arguments with respect to claims 36-44 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-19, 21-32 and 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Russell et al. (WO 01/77783 A2), hereinafter, "Russell" in view of En-Seung et al. (US 6,892,306 B1), hereinafter, "En-Seung" and further in view of Richards et al. (US 2002/0016922 A1), hereinafter, "Richards".**

Regarding **Claims 1 and 34**, Russell discloses method and corresponding computer program for providing access management through use of a plurality of server machines associated with different locations (see, Fig. 1), said method comprising:

receiving, at a first server machine of the plurality of server machines, an access request to access a secure item from a first client machine at a first location (see, page 24, lines 2-7);

authenticating a user of the first client machine at the first location (see, Page 11, lines 30-31);

authenticating the first client machine (See, Page 25, lines 6-14);

upon successful authentication of the user and successful authentication of the first client machine, retrieving at the first server machine access rules for the secured item (see, Page 25, lines 23-30);

permitting access to the secure item via the first location when said authenticating of the user and authenticating of the first client machine are successful, and further when allowed by the access rules (see, page 11, lines 30-31, Page 25, lines 6-14 and Page 26, lines 3-13);

permitting access to the secure item via the first server machine when said permitting access to the secure system via the first location permits the user to gain access to the secure item from the first location (see, page 11, lines 30-31, Page 25, lines 6-14 and Page 26, lines 3-13); and

preventing access to the secure item via the first server machine when said permitting access to the secure system via the first location does not permit the user to gain access to the secure item from the first location (see Page 26, lines 7-9).

Russell discloses encrypting secure content to be delivered however, Russell does not explicitly teach retrieving at the first server machine a user key permitting access to an encrypted header of the secured item and the sub-header corresponding to the user or a group to which the user belongs.

En-Seung discloses, retrieving at a server machine a user key permitting access to an encrypted sub-header of the secured item and the sub-header corresponding to the user or a group to which the user belongs (See Figs. 19 and 12, "Encrypted Header" and also Column 3, lines 14-32, Note: Examiner is interpreting the encrypted header

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part as a encrypted sub-header also note that each registered subscribing user is provided with unique key information. The user key is generated by applying the key information to a key generation algorithm. The temporary validation key that is created when the registered user accesses the server, is encrypted with the user key. (See abstract), and the protocol format generator adds to the header encrypted digital information that has been encrypted with the use of the temporary validation key in order to form the copyright protection protocol format. (See, Column 3, lines 25-32). Since the encrypted part of the header is encrypted using temporary validation key, and temporary validation key is encrypted using a user's key, only the user with the user's key have access to the header therefore, the encrypted part of the header is interpreted as corresponding to the user because only the user with correct user's key have key to decrypt the sub-header).

Therefore, it would have been obvious at the time invention was made to a person of ordinary skill in the art to place access information in a part of a header and encrypt the header part with a user key as in En-Seung in the system of Russell. One of ordinary skill in the art would have been motivated to do this because the system would provide a more secure cryptograph and process for transmitting information to a terminal of a user who has requested the information (See Column 2, lines 55-57).

En-Seung discloses an encrypted sub-header with a user key however; he does not explicitly disclose that the encrypted sub-header including access rules for the secured item and.

However, Richards discloses a system where a given requester is permitted to access a secure item based on access rules stored in an encrypted header of a secure item (see, Fig. 4 and Paragraphs 0066-0068).

Therefore, it would have been obvious at the time invention was made to a person of ordinary skill in the art to place access information of Russell into encrypted sub-header of secure item as taught by the combined system of Russell and En-Seung because “all encoded header data, database, and any other data are encoded as a single data file or stream being singular in type, the data may be checked by the application before opening via the various embedded hash elements. Accordingly, the security and integrity of the data is further maintained, firewall requirements are simplified, and the potential of firewall penetration is reduced” (see, Paragraph 0073).

Regarding **Claim 21 and 35**, Russell discloses method and corresponding computer program for providing access management through use of a distributed network of server machines (see, Fig. 1), said method comprising:

- receiving, at a first server machine of the plurality of server machines, an access request to access a secure item from a first client machine (see, page 24, lines 2-7);

- authenticating a user of the client machine (see, Page 11, lines 30-31);

- authenticating the first client machine (See, Page 25, lines 6-14);

- upon successfully authenticating the user and authenticating the first client machine, retrieving access rules for the secure item (see, Page 25, lines 23-30);

- retrieving access privileges associated with the user (see, Page 25, lines 23-30);



determining whether the user is permitted to gain access to the secure item via the first server machine based on the access privileges and access rules when said authenticating the user and said authenticating the first client machine are successful (see, page 11, lines 30-31, Page 25, lines 6-14 and Page 26, lines 3-13);

permitting access to the secure item via the first server machine when said determining whether the user is permitted to gain access to the secure item via the first server machine determines that the user is permitted to gain access to the secure item via the first server machine (see, page 11, lines 30-31, Page 25, lines 6-14 and Page 26, lines 3-13); and

preventing access to the secure item via the first server machine when said determining whether the user is permitted to gain access to the secure item via the first sever machine determines that the user is not permitted to gain access to the secure item via the first server machine (see Page 26, lines 7-9).

Russell discloses encrypting secure content to be delivered however, Russell does not explicitly teach retrieving at the first server machine a user key permitting access to an encrypted header of the secured item and the sub-header corresponding to the user or a group to which the user belongs.

En-Seung discloses, retrieving at a server machine a user key permitting access to an encrypted sub-header of the secured item and the sub-header corresponding to the user or a group to which the user belongs (See Figs. 19 and 12, "Encrypted Header" and also Column 3, lines 14-32, Note: Examiner is interpreting the encrypted header part as a encrypted sub-header also note that each registered subscribing user is

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provided with unique key information. The user key is generated by applying the key information to a key generation algorithm. The temporary validation key that is created when the registered user accesses the server, is encrypted with the user key. (See abstract), and the protocol format generator adds to the header encrypted digital information that has been encrypted with the use of the temporary validation key in order to form the copyright protection protocol format. (See, Column 3, lines 25-32). Since the encrypted part of the header is encrypted using temporary validation key, and temporary validation key is encrypted using a user's key, only the user with the user's key have access to the header therefore, the encrypted part of the header is interpreted as corresponding to the user because only the user with correct user's key have key to decrypt the sub-header).

Therefore, it would have been obvious at the time invention was made to a person of ordinary skill in the art to place access information in a part of a header and encrypt the header part with a user key as in En-Seung in the system of Russell. One of ordinary skill in the art would have been motivated to do this because the system would provide a more secure cryptograph and process for transmitting information to a terminal of a user who has requested the information (See Column 2, lines 55-57).

En-Seung discloses an encrypted sub-header with a user key however; he does not explicitly disclose that the encrypted sub-header including access rules for the secured item and.

However, Richards discloses a system where a given requester is permitted to access a secure item based on access rules stored in an encrypted header of a secure item (see, Fig. 4 and Paragraphs 0066-0068).

Therefore, it would have been obvious at the time invention was made to a person of ordinary skill in the art to place access information of Russell into encrypted sub-header of secure item as taught by the combined system of Russell and En-Seung because "all encoded header data, database, and any other data are encoded as a single data file or stream being singular in type, the data may be checked by the application before opening via the various embedded hash elements. Accordingly, the security and integrity of the data is further maintained, firewall requirements are simplified, and the potential of firewall penetration is reduced" (see, Paragraph 0073).

Regarding **Claim 2**, the rejection of claim 1 is incorporated and the combination of Russell, En-Seung and Richards further discloses wherein said determining permitting access to the secure system via the first location comprises: obtaining access privileges associated with the user to determine at least one or more permitted locations for the user; and determining whether the user is permitted to gain access to the secure item from the first location based on the permitted locations associated with the user (see Russell, page 11, lines 30-31, Page 25, lines 6-14 and Page 26, lines 3-13).

Regarding **Claim 3**, the rejection of claim 1 is incorporated and the combination of Russell, En-Seung and Richards further discloses wherein, when permitted by said permitting access to the secure system via the first location, allowing access to the secure item from the first location via the first client machine and the first server

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machine (see Russell, page 11, lines 30-31, Page 25, lines 6-14 and Page 26, lines 3-13).

Regarding **Claim 4**, the rejection of claim 1 is incorporated and the combination of Russell, En-Seung and Richards further discloses wherein, when permitted by said permitting access to the secure item via the first server machine, allowing access to the secure item from the first location via the first client machine and the first server machine (see Russell, page 11, lines 30-31, Page 25, lines 6-14 and Page 26, lines 3-13).

Regarding **Claims 5 and 22**, the rejections of claims 1 and 21 are incorporated and the combination of Russell, En-Seung and Richards further discloses preventing access to the secure item via any of the server machines other than the first server machine when permitting access to the secure item via the first server machine permits the user to gain access to the secure item from the first location (see Russell, Page 29, lines 1-4).

Regarding **Claims 6 and 23**, the rejection of claims 1 and 21 are incorporated and the combination of Russell, En-Seung and Richards further discloses wherein said permitting access to the secure system via the first location comprises determining whether the user is permitted to gain access to the secure item via the first client machine and the first server machine, and wherein said permitting access to the secure item via the first server machine operates to permit the user to gain access to the secure item via the first client machine and the first server machine when said permitting access to the secure system via the first location determines that the user is

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permitted to gain access to the secure item via both the first client machine and the first server machine (see Russell, page 11, lines 30-31, Page 25, lines 6-14 and Page 26, lines 3-13).

Regarding **Claim 24**, the rejections of claim 23 is incorporated and the combination of Russell, En-Seung and Richards further discloses preventing access to the secure item via any of the server machines other than the first server machine when said determining whether the user is permitted to gain access to the secure item via the first server machine determines that the user is permitted to gain access to the secure item from the first location (see Page 29, lines 1-4).

Regarding **Claim 7**, the rejection of claim 1 is incorporated and the combination of Russell, En-Seung and Richards further discloses wherein said permitting access to the secure system via the first location comprises determining whether the user is permitted to gain access to the secure item via the first server machine, and wherein said permitting access to the secure item via the first server machine operates to permit the user to gain access to the secure item via the first server machine when said permitting access to the secure system via the first location determines that the user is permitted to gain access to the secure item via the first server machine (see Russell, page 11, lines 30-31, Page 25, lines 6-14 and Page 26, lines 3-13).

Regarding **Claim 8**, the rejection of claim 1 is incorporated and the combination of Russell, En-Seung and Richards further discloses wherein said permitting access to the secure system via the first location comprises determining whether the user is permitted to gain access to the secure item via the first client machine, and wherein said

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permitting access to the secure item via the first server machine operates to permit the user to gain access to the secure item via the first client machine when said permitting access to the secure system via the first location determines that the user is permitted to gain access to the secure item via the first client machine (see Russell, page 11, lines 30-31, Page 25, lines 6-14 and Page 26, lines 3-13).

Regarding **Claim 9**, the rejection of claim 1 is incorporated and the combination of Russell, En-Seung and Richards further discloses preventing the user from gaining access to the secure item via any of the server machines other than the first server machine when said determining permitting access to the secure system via the first location determines that the user is permitted to gain access to the secure item from the first location (see Page 29, lines 1-4).

Regarding **Claims 10 and 25**, rejections of claims 9 and 24 are incorporated and the combination of Russell, En-Seung and Richards further discloses

wherein said preventing the user from gaining access to the secure item via any of the other server machines comprises reconfiguring at least any of the other server machines that previously permitted the user to gain access to the secure item therethrough (see, Russell, Page 25, line 22- Page 26, line 2).

Regarding **Claims 11 and 26**, the rejections of claims 10 and 25 are incorporated and the combination of Russell, En-Seung and Richards further discloses said permitting access to the secure item via the first server machine comprises reconfiguring the first server machine to permit access by the user to the secure item via the first server machine (see, Russell, Page 24, lines 14-22).

Regarding **Claim 12**, the rejection of claim 13 is incorporated and the combination of Russell, En-Seung and Richards further discloses wherein said permitting access to the secure system via the first location comprises: obtaining access privileges associated with the user to determine at least one or more permitted locations for the user (see, Russell, Page 25, lines 11-14); and determining whether the user is permitted to gain access to the secure item from the first location based on the permitted locations associated with the user (see, Russell, Page 25, lines 11-14).

Regarding **Claims 13 and 27**, rejections of claims 1 and 21 are incorporated and the combination of Russell, En-Seung and Richards further discloses wherein said permitting access to the secure item via the first server machine comprises reconfiguring the first server machine to permit access by the user to the secure item via the first server machine (see, Russell, Page 24, lines 14-22).

Regarding **Claims 14 and 28**, rejections of claims 13 and 21 are incorporated and the combination of Russell, En-Seung and Richards further discloses wherein the secure item is a secured file, the secured file having a format that comprises a header including security information as to who and how access to the secure item is permitted (see, Richards, Fig. 4 and Paragraphs 0066-0068); an encrypted data portion including data of the secured file encrypted with a file key according to a predetermined cipher scheme, and wherein the header is attached to the encrypted data portion to generate the secured file (see, En-Seung, See Fig. 19 and also Column 3, lines 14-32).

Regarding **Claims 15 and 29**, rejections of claims 14 and 28 are incorporated and the combination of Russell, En-Seung and Richards further discloses wherein the

security information in the header of the secured file facilitates the restricted access to the secured file (see, Richards, Fig. 4 and Paragraphs 0066-0068).

Regarding **Claim 16**, the rejection of claim 15 is incorporated and the combination of Russell, En-Seung and Richards further discloses wherein the security information in the header of the secured file points to or includes the access rules and a file key (see, En-Seung, Fig. 19 and also Column 3, lines 14-32 as combined with Richards, Fig. 4 and Paragraphs 0066-0068).

Regarding **Claims 17 and 30**, rejection of claims 14, and 28 are incorporated and the combination of Russell, En-Seung and Richards further discloses wherein the security information is encrypted with a user key associated with the user (see, En-Seung, Fig. 19 and also Column 3, lines 14-32).

Regarding **Claims 18 and 31**, rejections of claims 14 and 28 are incorporated and the combination of Russell, En-Seung and Richards further discloses wherein the security information includes the file key and access rules to the restricted access to the secured file (see, En-Seung, Fig. 19 and also Column 3, lines 14-32 as combined with Richards, Fig. 4 and Paragraphs 0066-0068).

Regarding **Claims 19 and 32**, rejections of claims 18 and 28 are incorporated and the combination of Russell, En-Seung and Richards further discloses wherein the file key is retrieved to decrypt the encrypted data portion in the secured file when access privilege of the user is within access permissions by the access rules (see, En-Seung, Fig. 19 and also Column 3, lines 14-32 as combined with Richards, Fig. 4 and Paragraphs 0066-0068).



Claims 20 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Russell in view of En-Seung and Richards and further in view of Brown et al. (US 2003/0050919 A1), hereinafter "Brown".

Regarding **Claims 20 and 33**, rejections of claims 18 and 31 are incorporated and the combination of Russell, En-Seung and Richards does not explicitly disclose access rules expressed in a markup language.

However, Brown discloses access rules expressed in a markup language (see, Fig. 5A and Paragraph 0052).

Therefore, it would have been obvious at the time invention was made to a person of ordinary skill in the art to express the access rules of the combined system of Russell, En-Seung and Richards in a markup language as taught by Brown because XML is a text-based and platform independent markup language, as a result distributor server would be able to enforce and distribute the content with policies to all client having any type of operating system platform.

Claims 36-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Russell in view of En-Seung.

Regarding **Claim 36**, Russell discloses an access control system that restricts access to a secure item (see, Fig. 1), said system comprising:

a central server having a server module that provides overall access control (see, page 16, lines 18-23); and

a plurality of local servers, each of said servers including a local module that provides local access control (see, Page 24, lines 14-22),

wherein the access control, performed by said central server or said local servers, operates to permit or deny access requests to secured items by requestors (see, Page 16, lines 18-23), and

permitted to access the secure item through one or more of said local servers, is only able to access the secure item using only a single one of said local servers or the central server such that the given requestor is only permitted to access the secure item through at most one of said local servers at a time (see, Page 24, 14-22).

Russell discloses controlling access to a secure file, however the access control information is not stored in the encrypted sub-header of the secure file therefore Russell does not explicitly disclose that a given requester is permitted to access a secure item based on information stored in an encrypted header of a secure item.

However, En-Seung discloses a system where a given requester is permitted to access a secure item based on information stored in an encrypted sub-header of a secure item and the sub-header corresponding to the given requestor or to a group to which the request belongs (See Figs. 19 and 12, "Encrypted Header" and also Column 3, lines 14-32, Note: Examiner is interpreting the encrypted header part as a encrypted sub-header also note that each registered subscribing user is provided with unique key information. The user key is generated by applying the key information to a key generation algorithm. The temporary validation key that is created when the registered user accesses the server, is encrypted with the user key. (See abstract), and the protocol format generator adds to the header encrypted digital information that has been encrypted with the use of the temporary validation key in order to form the copyright

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protection protocol format. (See, Column 3, lines 25-32). Since the encrypted part of the header is encrypted using temporary validation key, and temporary validation key is encrypted using a user's key, only the user with the user's key have access to the header therefore, the encrypted part of the header is interpreted as corresponding to the user because only the user with correct user's key have key to decrypt the sub-header).

Therefore, it would have been obvious at the time invention was made to a person of ordinary skill in the art to place access information in a part of a header and encrypt the header part with a user key as in En-Seung in the system of Russell. One of ordinary skill in the art would have been motivated to do this because the system would provide a more secure cryptograph and process for transmitting information to a terminal of a user who has requested the information (See Column 2, lines 55-57).

Regarding **Claim 37**, the rejection of claim 36 is incorporated and the combination of Russell and En-Seung further discloses wherein said access control system couples to an enterprise network to restrict access to the secure item, which comprises a secured file, stored therein (see Russell, Fig. 3).

Regarding **Claim 38**, the rejection of claim 37 is incorporated and the combination of Russell and En-Seung further discloses wherein the access requests are at least primarily processed in a distributed manner by said local servers (see, Russell, Page 24, lines 14-22).

Regarding **Claim 39**, the rejection of claim 38 is incorporated and the combination of Russell and En-Seung further discloses wherein when the access

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requests are processed by said local servers, the requestors gain access to the secured files without having to access said central server (see, Russell, Page 24, lines 14-22).

Regarding **Claim 40**, the rejection of claim 37 is incorporated and the combination of Russell and En-Seung further discloses wherein the local module is a copy of the server module so any of the local modules can operate independent operate independently of said central server and other of said local servers (see, Page 23, lines 19-22).

Regarding **Claim 41**, the rejection of claim 37 is incorporated and the combination of Russell and En-Seung further discloses wherein the local module is a subset of the server module (see, Russell, Page 18, lines 15-17).

Regarding **Claim 42**, the rejection of claim 42 is incorporated and the combination of Russell and En-Seung further discloses wherein access permissions for said local servers is dynamically configured to pass a requestor from one of said local servers to another of said local servers, thereby enabling access control to be performed by the another of said local servers such as when the location of the requestor changes (see, Page 20, lines 16-31).

Regarding **Claim 43**, the rejection of claim 37 is incorporated and the combination of Russell and En-Seung further discloses wherein the secured files are secured by encryption of the secure item (see, Page 9, lines 6-7).

Regarding **Claim 44**, the rejection of claim 37 is incorporated and the combination of Russell and En-Seung further discloses wherein the secure item are secured by encryption (see, page 9, lines 6-7).

***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to YOGESH PALIWAL whose telephone number is (571)270-1807. The examiner can normally be reached on M-F: 7:30 AM - 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Y. P./

Examiner, Art Unit 2435

/Kimyen Vu/

Supervisory Patent Examiner, Art Unit 2435